

EXHIBIT C

PART 2 OF 3


Case 1:23-cr-00251-AKH Document 383-6 Filed 04/28/25 Page 2 of 66

No Conspiracy: Mr. Amar Cut Out The Correction Also Went to JP Morgan at the Same Time

3.1.8 Visitors Data File – are these unique visitors?

Please note that the Company clarifies "visitors" as impressions via Google search, the Company has only begun to recently track unique visitors with the implementation of our student dashboard where they can actively track engagement at a more granular level

Closed

				Frank Report		Frank Report	
Date		Topic		Priority		Target Audience	
1	7/11/2021	7/12/2021	Product	Please provide a demo of the end-to-end product experience across degrees, consumer and enterprise. We would like to be walked through the video (or a live demo) in Product version on Monday morning. Note: we will still need a video to share internally even if you opt for a live demo.	High	1.7, 1.8	Closed
2	7/11/2021	7/12/2021	Product	What constitutes a "paid user" vs. "non-paid user"?			Closed
3	7/11/2021	7/12/2021	Product	What constitutes a "paid user" vs. "non-paid user"?			Closed
4	7/11/2021	7/12/2021	Product	For User Demographics File 3.1.5 – when you call out 1st, 2nd, 3rd, 4th year, is this % of users within that calendar year that have used the product 1, 2, 3 or 4 years?			Closed
5	7/11/2021	7/12/2021	Product	3.1.8 Visitors Data File – are these unique visitors?			Closed
6	7/11/2021	7/12/2021	Product	3.1.9 User Dependency Breakdown – what is the difference between dependant and independent?		3.1.13	Closed
7	7/11/2021	7/12/2021	Product	How many of the users already have any banking relationships?			Closed
8	7/11/2021	7/12/2021	Product	How does the Aid Appeal product work? How many students use the product and how successful is it?			Closed

**GOVERNMENT
EXHIBIT
1526 -A**
S1 23 Cr. 251 (AKH)

No Conspiracy: Mr. Amar Cut Out of JP Morgan Diligence

● = PRE-CORRECTION
■ = POST-CORRECTION

● JUN 25

Ms. Javice sends mislabeled impressions data as “unique visitor” data

● JUN 25

Mr. Amar quotes “3.3mm impressions,” LionTree asks for data on it

● JULY 7

Mr. Amar calls out mislabeled data

■ JULY 13

LionTree issues the correction to Capital One as a priority 1 issue, same day as CEO session

■ JULY 14

Capital One walks away

● JULY 12-13

LionTree follows up regarding mislabeled data

● JULY 12

JPMC diligence meeting

● JULY 7

JPMC diligence meeting

■ JULY 14

JPMC IOI Includes Mr. Amar’s name

JUNE

JULY

No Conspiracy: Mr. Amar Cut Out

The Draft Indication of Interest from July 14 Included Mr. Amar

JPMORGAN CHASE & CO.

Strictly Private and Confidential

July 16, 2023

Charlie Javice
TATN, Inc.

Re: Proposed

Dear Charlie

8. Additional Agreements: It is anticipated that (a) Charlie Javice, Matthew Glazer and Olivier Amar and certain additional employees subject to ongoing diligence will enter into employment agreements at signing, to be effective at Closing and (b) stockholder support agreements or other similar agreements will be in hand to ensure requisite stockholder approval as of signing.

We believe the Company represents a unique and exciting opportunity for JPMC. Today JPMC serves over 60MM customers worldwide with a wide range of financial services, including banking, lending and wealth management. We are deeply focused on offering products to customers in all ages and stages of life, including the student segment and to those the company

312 West Avenue, New York, NY 10013

No Conspiracy: Mr. Amar Cut Out

One Day Later, Ms. Javice Removed Mr. Amar from the Indication of Interest

DIRECT EXAMINATION



Leslie Wims
Morris

Head of Corporate
Development



Q. Okay. And in the context of the discussion about the initial bid, isn't it true that **Ms. Javice said that Mr. Amar should not be included—as a key employee?**

A. **Yes.**

No Conspiracy: Mr. Amar Cut Out of JP Morgan Diligence

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JPMC diligence meeting

JUNE

JULY

No Conspiracy: Mr. Amar Cut Out

The Final Indication of Interest from July 15 Does Not Include Mr. Amar

From: Seltzer, Adam B (CCB, USA) [/O=CORPEXCHANGE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E8425668EF]
Sent: 7/15/2021 1:51:23 PM
To: 'Charlie Javice' [charlie@withfrank.org]
CC: 'Braun, Ben' [bbraun@liontree.com]; Wims Morris, Leslie (CCB, USA) [leslie.wimsmorris@chase.com]
Subject: Executed IOI
Attachments: Project Finland Draft IOI 7.14.21_executed.pdf

See attached. We will send a revised MA shortly per our conversation.

Adam

Adam Seltzer | Executive Director, Investments and M&A | Chase Corporate Development | 201 North Walnut Street 9th Floor, Wilmington, DE 19801 | T : 302.282.8565 |
adam.b.seltzer@chase.com

DEFENDANT'S
EXHIBIT
OA 1103

S1 23 Cr. 251 (AKH)

8. Additional Agreements: It is anticipated that (a) Charlie Javice and certain other key employees (subject to ongoing diligence) will enter into employment agreements at signing, to be effective at Closing and (b) stockholder support agreements or other similar agreements will be in hand to ensure requisite stockholder approval as of signing.

DEFENDANT'S
EXHIBIT
OA 1103-A

S1 23 Cr. 251 (AKH)

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JUNE

JULY

No Conspiracy: Mr. Amar Cut Out

Leslie Wims Morris Interacted with Mr. Amar Just One Time in 37 Days

DIRECT EXAMINATION



Leslie Wims
Morris

Head of Corporate
Development



Q. Did you interact at all with Mr. Amar during diligence?

A. Only in that one session where he talked about growth.

Q. And who did you primarily interact with at Frank?

A. Ms. Javice.

No Conspiracy:
Mr. Amar Cut Out of Data Validation

No Conspiracy: Mr. Amar Cut Out

Mr. Amar Was Not Involved in JP Morgan's Data Validation

DIRECT EXAMINATION



Alex Sweeney
Executive Director,
Corporate Development
 JPMorganChase

Q. So you testified that you discussed the validation process with Ms. Javice?

A. Yes.

Q. Was Mr. Amar involved in any of those discussions?

A. No.

March 6, 2025 Trial Tr. 1455:24-1456:3

CROSS EXAMINATION



**Leslie Wims
Morris**
Head of Corporate
Development
 JPMorganChase

Q. Did you ever discuss either of the topics in this email, the data variable validation exercise that you've testified about or the data match with Chase customers, with Mr. Amar?

A. No.

February 27, 2025 Trial Tr. 740:18-21, 23

No Conspiracy: Mr. Amar Cut Out

Mr. Amar Didn't Deliver Any Data for JP Morgan's Validation

DIRECT EXAMINATION



Adam Kapelner
Associate Professor of
Mathematics



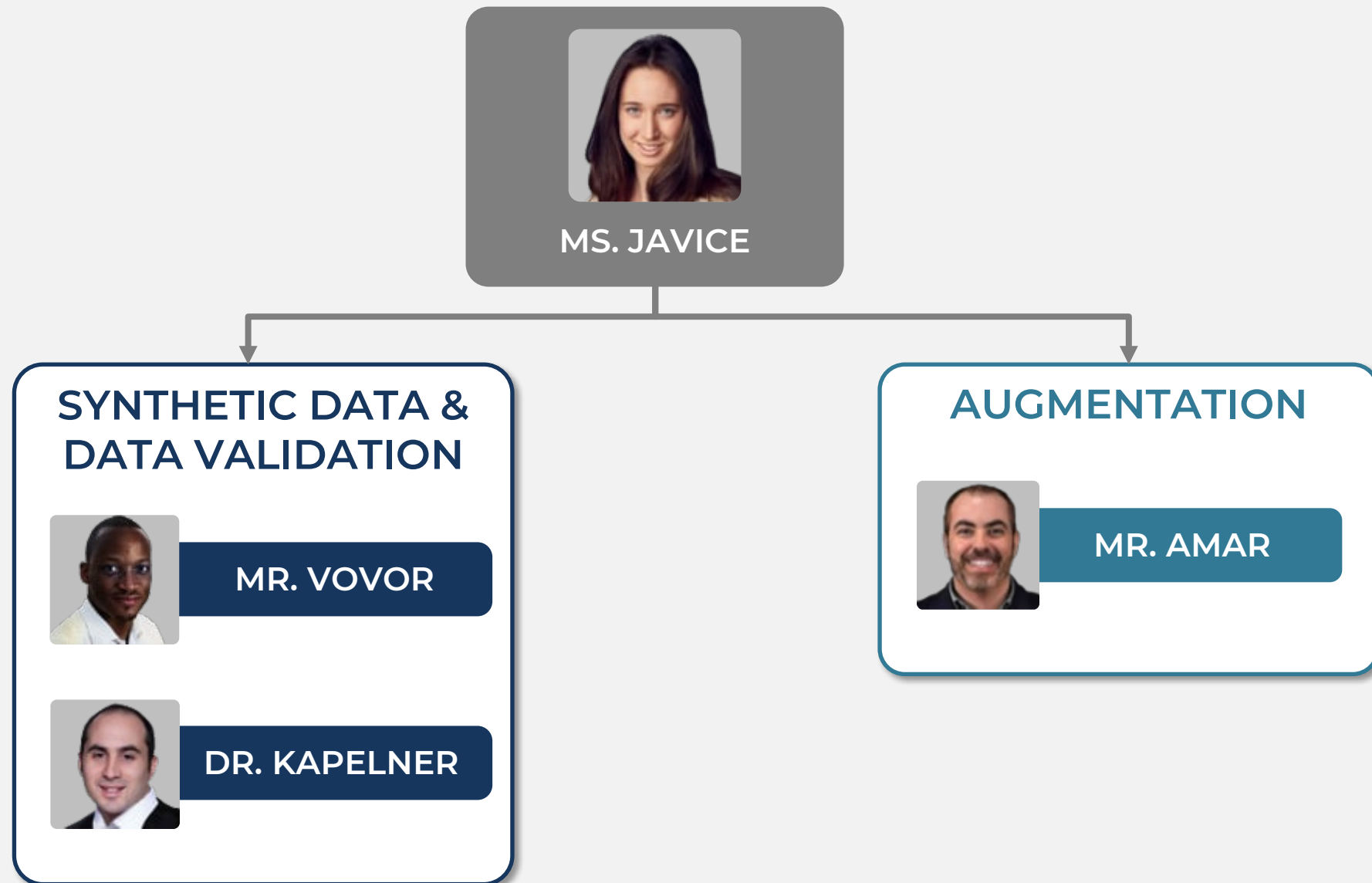
Q. Dr. Kapelner, who instructed you to deliver the synthetic data report or synthetic dataset to Acxiom when you completed the first project [validation]?

A. That would be Ms. Javice.

No Conspiracy:
ASL and Data Augmentation

No Conspiracy: Data Augmentation

Mr. Amar Was Buying Data to Augment Frank's Real Users



No Conspiracy: Data Augmentation

On August 1, Ms. Javice Looped in Mr. Amar for a “Data Pull and Strategy”

WhatsApp



Charlie Javice, Aug. 1 2021 1:51:42 PM UTC (9:51:42 AM EDT)

Hey - have time to chat this am



Charlie Javice, Aug. 1 2021 1:52:09 PM UTC (9:52:09 AM EDT)

Need to talk about a data pull and strategy



* * *



Charlie Javice, Aug. 1 2021 2:06:34 PM UTC (10:06:34 AM EDT)

Ur gonna need to block off ur day. And good news on the offers

No Conspiracy: Data Augmentation

Ms. Javice Deprived Mr. Amar of All Information on Data Validation

Ms. Javice Forwards to Mr. Amar:

From: Charlie Javice [charlie@withfrank.org]
 on behalf of Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]
 Sent: 8/1/2021 2:23:11 PM
 To: Olivier Amar [olivier@withfrank.org]
 Subject: Fwd: Finland - key data questions

----- Forwarded message -----

From: Wims Morris, Leslie [leslie.wimsmorris@chase.com]
 Date: Sat, Aug 1, 2021 at 9:05 AM
 Subject: Finland - key data questions
 To: Charlie Javice [charlie@withfrank.org]

Hi Charlie,

Per our discussion...

How many customer accounts have 100% of the below data?

How many customer accounts have partial information? Of partial records, what % include each data field below?

Validate the integrity of each of the variables in the degree reasonable (e.g., name and email fields are captured in the appropriate format)

Section	Variable
Popup	STUDENT_FIRST_NAME
	STUDENT_LAST_NAME
	STUDENT_EMAIL
	STUDENT_PHONE_NUM
	STUDENT_HOME_ADDR

**GOVERNMENT
EXHIBIT
1147**
S1 23 Cr. 251 (A)(H)

Ms. Javice Doesn't Forward to Mr. Amar:

From: Wims Morris, Leslie [leslie.wimsmorris@chase.com]
 on behalf of Wims Morris, Leslie [leslie.wimsmorris@chase.com] [leslie.wimsmorris@chase.com]
 Sent: 8/1/2021 7:12:26 PM
 To: 'Charlie Javice' [charlie@withfrank.org]
 Subject: Finland Data Request

As we discussed, we have two critical confirmatory due diligence requests related to Data that are conditions to closing the transaction:

- (1) Data Variable Validation - questions and
- (2) Data Match with Chase Customers - customers are also Chase customers we will identify what specific products they have with the bank. At this stage this is for data insights purposes only.

In both cases, we would like to work with Axiom - a Company that we have an existing relationship with - to do the above mentioned analyses. We recommend that we start the planning process ASAP tomorrow regarding what both analyses entail and include our respective legal teams so everyone is clear regarding the ask. Please let us know time options that work for you and your team tomorrow and we will plan accordingly. And if achievable, it would be great to fast track this work ahead of signing.

Data Variable Validation
 How many customer accounts have 100% of the below data?
 How many customer accounts have partial information? Of partial records, what % include each data field below?
 Validate the integrity of each of the variables in the degree reasonable (e.g., name and email fields are captured in the appropriate format)

Section	Variable
Popup	STUDENT_FIRST_NAME
	STUDENT_LAST_NAME
	STUDENT_EMAIL
	STUDENT_PHONE_NUM
	STUDENT_HOME_ADDR
Personnel	STUDENT_HOME_ADDR_APT
	STUDENT_BIRTHDAY
	APPLICATION_YEAR

**GOVERNMENT
EXHIBIT
1071**
S1 23 Cr. 251 (A)(H)

No Conspiracy: Data Augmentation

Mr. Amar Didn't Know Who Acxiom Was Until 2 Months *After* Validation

WhatsApp



Olivier Amar, Oct. 5 2021 6:48 PM UTC (2:48 PM ET)

What's Axiom? I need to ask them for a w9?

Charlie Javice, Oct. 5 2021 6:48 PM UTC (2:48 PM ET)

We never paid them



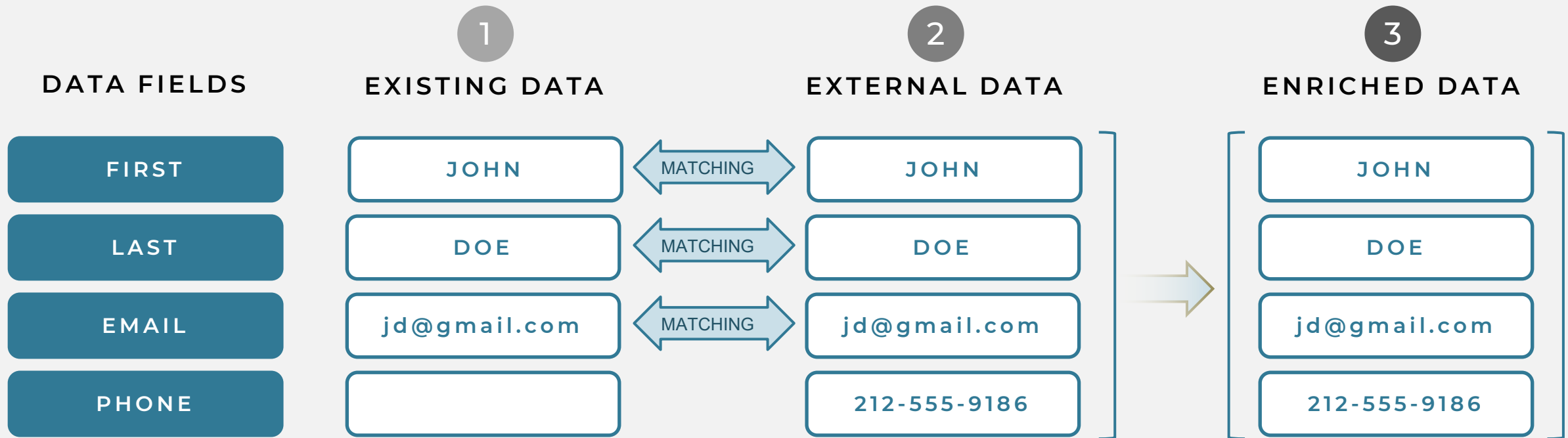
GOVERNMENT
EXHIBIT
801-31
51 23 Cr. 251 (AKH)

No Conspiracy: Data Augmentation

No Conspiracy:
Data Augmentation Is a Common Marketing Practice

No Conspiracy: Data Augmentation

“Data Augmentation” or “Data Enrichment” Means Filling Out Existing Users



No Conspiracy: Data Augmentation

Data Augmentation Is a Common Marketing Practice

CROSS EXAMINATION



Steve Stolls

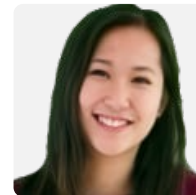
Executive Vice
President of Sales
and Marketing



- Q. And augmentation is . . . when you take a limited set of data, such as somebody's first name, last name, and address; right?
- A. Yes.
- Q. And then from there, Mr. Stolls, you would sell data to permit the person to add, let's say, an e-mail address or a telephone number to the first name, last name, and address; right?
- A. Yes. Yes.
- Q. **That is a very common industry practice, is it not?**
- A. **It is.**

March 5, 2025 Trial Tr. 1328:10-20

DIRECT EXAMINATION



**Jennifer
Wong**

Director of Marketing

F R A N K .

- Q. Are you familiar with augmenting data in the context of digital marketing?
- A. Yes.
- Q. What's an example of augmenting data?
- A. [...] So sometimes when you're not really looking for it, you might get a mail or a mailer in your – your mailbox of places that you might have visited but actually never signed up and have give your address to.

March 4, 2025 Trial Tr. 1034:8-18

No Conspiracy: Data Augmentation Even JP Morgan Buys Data from ASL

CROSS EXAMINATION



Steve Stolls

Executive Vice
President of Sales and
Marketing



Q. [ASL] also sells data to banks, doesn't it?

A. Yes.

Q. Banks like JPMorgan Chase?

* * *

A. We had worked with Chase a number of years ago.

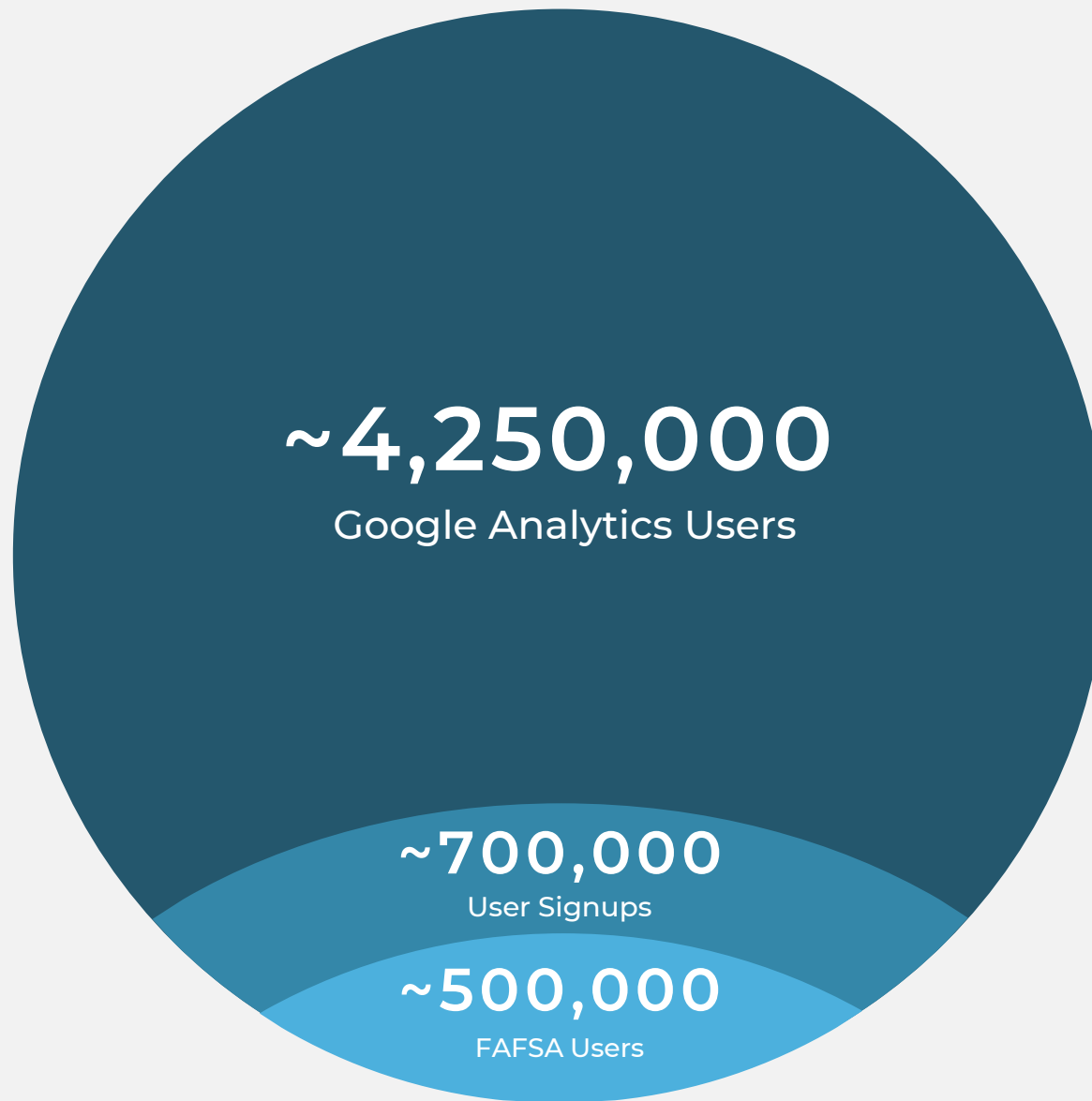
Q. By worked with you mean ASL has sold data to
JPMorgan Chase?

A. Yes.

Mr. Amar Sought to Augment Frank's
Real Customer Accounts and Web Visitors

No Conspiracy: Data Augmentation

Mr. Amar Was Buying Data to Augment Frank's Real Users



No Conspiracy: Data Augmentation

Ms. Javice Instructed Mr. Amar to Augment Frank's Data

From: Olivier Amar [olivier@withfrank.org]
 on behalf of: Olivier Amar <olivier@withfrank.org> [olivier@withfrank.org]
 Sent: 8/2/2021 1:42:11 PM
 To: Charlie Javice [charlie@withfrank.org]
 Subject: Re: Identity resolution question

Thanks. I'll get on it.

Olivier

Olivier Amar
 Frank | Chief Growth Officer
 withfrank.org | 908.305.5052
 Student Covid Resources

On Mon, Aug 2, 2021 at 9:21 AM Charlie Javice <charlie@withfrank.org> wrote:
 Hi Olivier,

We are looking for identity resolution solutions to help supplement contact info on demographic data we collect on users. Ideally, it would be an email or phone or physical home address.

https://docs.google.com/document/d/1s1_N4IlzFLk634ENb0aKbUyI8hpveOeWdAv1ZF-SlNK/edit?usp=sharing

Set of info we can provide is in yellow.

Charlie

—
 Charlie Javice
 Frank | Founder & CEO
 withfrank.org | 914.575.9114
 Student COVID-19 resources



FOIA Confidential Treatment Requested by JP Morgan Chase Bank, N.A.
 CONFIDENTIAL

JPMc_0001948
 USNO_PRL0000000

From: Olivier Amar [olivier@withfrank.org]
 on behalf of: Olivier Amar <olivier@withfrank.org> [olivier@withfrank.org]
 Sent: 8/2/2021 1:42:11 PM
 To: Charlie Javice [charlie@withfrank.org]
 Subject: Re: Identity resolution question

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Set of info we can provide is in yellow.

Charlie

GOVERNMENT
 EXHIBIT
 1601
 S1 23 Cr. 251 (AKH)

No Conspiracy: Data Augmentation

Mr. Amar Asked mParticle About "Data Enrichment"

From: Olivier Amar [olivier@withfrank.org]
on behalf of Olivier Amar <olivier@withfrank.org> [olivier@withfrank.org]
Sent: 8/2/2021 7:39:36 PM
To: Linda Chu [lindac@mparticle.com]
CC: Jennifer Wong [jen.wong@withfrank.org]
Subject: Re: Identity resolution

From: Olivier Amar [olivier@withfrank.org]
on behalf of Olivier Amar <olivier@withfrank.org> [olivier@withfrank.org]
Sent: 8/2/2021 7:39:36 PM
To: Linda Chu [lindac@mparticle.com]
CC: Jennifer Wong [jen.wong@withfrank.org]
Subject: Re: Identity resolution

Hi Linda,
 Answering inline below.

Olivier Amar
 Frank | Chief Growth Officer
 withfrank.org | 408.705.5052
 Student Credit Recourse

On Mon, Aug 2, 2021 at 1:42 PM Linda Chu <lindac@mparticle.com> wrote:
 Hi Olivier,

Hope you had a great weekend!

For identity resolution in mParticle, in general, Frank and all of our customers leverage our IDSync framework to provide a unified view of your users. This leverages the first-party data sent into mParticle from Frank in order to build deterministic customer profiles. Specifically, Frank is currently leveraging the Double Conversion Strategy that was originally setup during the initial implementation, which prioritizes following a user through a basic sign-up funnel.

Is your goal to target non-registered users for advertising campaigns or can you expand on your use case more? For users who have not completed registrations, how much do you know about the user at this point in the funnel? Are they still anonymous or do we know an identifier such as their email, address or other user information?

It is to target non-registered users that did not complete registration. This could be with marketing automation and potentially even direct mail.

Since we only use deterministic matching to ensure your data quality, we do not provide data enrichment outside of the IDSync framework within mParticle. However, we do partner with platforms here that provide those capabilities, such as our integrations with Liveramp and Narrative. For advertising, our Facebook audience integration also supports their multi-key matching capability to identify users based on other identifiers (ex. first name, city, zipcode, etc) downstream.

Amazing, thanks!

Let me know if this helps and allows to expand on your use case more.

Best,
 Linda

On Mon, Aug 2, 2021 at 5:45 AM Olivier Amar <olivier@withfrank.org> wrote:
 Hi Linda,

Are you trying to leverage the deterministic capabilities of the IDSync framework to identify users based on other identifiers (ex. first name, city, zipcode, etc) downstream?

Thanks
 Olivier

Since we only use deterministic matching to ensure your data quality, we do not provide data enrichment outside of the IDSync framework within mParticle. However, we do partner with platforms here that provide those capabilities, such as our integrations with Liveramp and Narrative. For advertising, our Facebook audience integration also supports their multi-key matching capability to identify users based on other identifiers (ex. first name, city, zipcode, etc) downstream.

On Mon, Aug 2, 2021 at 9:46 AM Olivier Amar <olivier@withfrank.org> wrote:
 Hi Linda,

Is there any way to leverage the data we have in mparticle for identification? As in the users that have not completed registrations. Does mParticle do that? Do you have any partners that can do that?

Thanks

Olivier

No Conspiracy: Data Augmentation Mr. Amar Looked for Data Enrichment Vendors

 narrative

 **Exact Data**

 ASL Marketing

/LiveRamp

 **mparticle**

No Conspiracy: Data Augmentation

Mr. Amar Sought to Augment Frank's Customers and Google Analytics Users

WhatsApp



Olivier Amar, Aug. 2 2021 5:16:29 PM UTC (1:16 PM EDT)

it won't complete the 4.7

Web Visitors

Olivier Amar, Aug. 2 2021 5:16:36 PM UTC (1:16 PM EDT)

it will fill out the 500K

Customer Accounts

* * *

Olivier Amar, Aug. 2 2021 7:36:12 PM UTC (3:36 PM EDT)

Enrich customer profiles with demographic and contextual information



Age data

Declared age from registrations and surveys



Gender data

Declared gender from registrations and surveys



Mobile app & web behavior data

Apps or websites associated with an identifier



Device data

Information associated with a device, such as carrier, service provider, and hardware

Olivier Amar, Aug. 2 2021 7:36:20 PM UTC (3:36 PM EDT)

that's narrative

**GOVERNMENT
EXHIBIT
801-5
SI 23 Cr. 251 (AKH)**

No Conspiracy: Data Augmentation

Frank Collected Cookies on All 4.25MM Google Analytics Users

DIRECT EXAMINATION



Jenny Zeitler
Marketing Automation
Manager
FRANK.

Q. . . . As you recall, back in the summer of 2021 was that opt-out of cookies policy available then? We all know we see it now but back in August -- July, August 2021?

A. I don't believe so.

Q. **That would mean then that all 4.25 million Frank users were automatically opted in?**

A. Yes.

Q. Now, the last question. In addition to cookies, you are aware that there are other ways that Google tracks users as well; correct?

* * *

A. Yes.

No Conspiracy: Data Augmentation

Mr. Amar Discussed Using “Big Query” with Mr. Vovor on Aug. 2

Slack



Olivier Amar, Aug. 2 2021 6:11 PM UTC (2:11 PM ET)

Hey Patrick, quick question, does anyone on your team have big query experience? I'd like to try running a query on Google Analytics to see what information is hiding behind the API

Patrick Vovor, Aug 2 2021 6:14 PM UTC (2:14 PM ET)

hi Olivier, unfortunately no

but let me check



Olivier Amar, Aug. 2 2021 6:15 PM UTC (2:15 PM ET)

Thanks

Patrick Vovor, Aug 2 2021 6:51 PM UTC (2:51 PM ET)

ok they seem to use SQL, but there is a lot of google custom glue around it that is totally new for us. I can ask Mohammed to help Jen, that works?



Olivier Amar, Aug. 2 2021 6:56 PM UTC (2:56 PM ET)

Sure

and thanks

GOVERNMENT
EXHIBIT
802-31
S1 23 Cr. 251 (AKH)

No Conspiracy: Data Augmentation

Frank Needed a Data “Genius” to Augment Its Users



Charlie Javice, Aug. 3 2021 6:06 PM UTC (2:06 PM EDT)

We get our sample yet :p



Charlie Javice, Aug. 3 2021 6:30 PM UTC (2:30 PM EDT)

I found my genius. He say it will take him an hour



Charlie Javice, Aug. 3 2021 7:05 PM UTC (3:05 PM EDT)

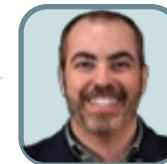
Score.

Call me

WhatsApp

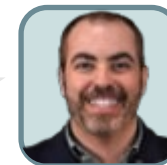
Olivier Amar , Aug. 3 2021 6:16 PM UTC (2:16 PM EDT)

Not yet..



Olivier Amar , Aug. 3 2021 6:49 PM UTC (2:49 PM EDT)

Great



No Conspiracy: Data Augmentation Using a Data Scientist to Augment Is Normal

CROSS EXAMINATION



Steve Stolls

Executive Vice
President of Sales and
Marketing



Q. And there is nothing unusual about a client doing the matching internally; right?

A. No.

Q. And similarly, when a client chooses to do data matching internally, it is not unusual for a client to employ the services of a data scientist; isn't that right?

A. No, not at all.

Mr. Amar Discussed Using the ASL List for
Marketing to Frank's Users

No Conspiracy: Data Augmentation Mr. Amar Discussed Augmentation Multiple Times

CROSS EXAMINATION



Jenny Zeitler
Marketing Automation
Manager

FRANK.

Q. In that August time period, there were multiple discussions about the possibility of doing a project to enhance your customer information, correct?

A. Correct.

No Conspiracy: Data Augmentation

Mr. Amar Discussed Augmenting Frank's Scholarship List

CROSS EXAMINATION



Jenny Zeitler
Marketing Automation
Manager

FRANK.

COURT: Tell us what happened August 3.

A. Olivier asked for the list of subscribers, and I pulled it out of Braze and attached it to the Slack message for him.

COURT: Do you know what he did with it?

A. We were talking about doing a project to get more information on our subscribers so that we could target them better.

COURT: Is that what he said to you?

A. That's what – yeah.

No Conspiracy: Data Augmentation

Mr. Amar Discussed Using ASL for “Remarketing” Even After the Merger Agreement

WhatsApp



Olivier Amar, Aug. 11 2021 2:45 PM UTC (10:45 AM EDT)

Hey, we're going to need the augmented lists

To build our lookalike campaigns

Charlie Javice , Aug. 11 2021 2:46 PM UTC (10:46 AM EDT)

Yep

That should be resolved this week



* * *



Olivier Amar, Aug. 11 2021 3:15 PM UTC (11:15 AM EDT)

Remarketing and lookalike campaigns

There are millions in there

Charlie Javice , Aug. 11 2021 3:15 PM UTC (11:15 AM EDT)

U have the 2M of them already



Olivier Amar, Aug. 11 2021 3:15 PM UTC (11:15 AM EDT)

You have more fields which allow me to segment the audiences even more

It's not just one list

I see it as a bunch of lists

Charlie Javice , Aug. 11 2021 3:15 PM UTC (11:15 AM EDT)

U can take them already



GOVERNMENT
EXHIBIT
801-21

No Conspiracy: Data Augmentation

Mr. Amar Disclosed and Even Sent the ASL List to Jen Wong

CROSS EXAMINATION



Jen Wong
Director of Marketing

FRANK.

Q. Ms. Wong, before the break we were talking about the time in the summer of 2021 where Mr. Amar had told you that he had purchased a list of customer data from a third-party source. Do you recall that?

A. Yes.

Q. And, in fact, in the summer of 2021, after he told you that, he provided you a copy of the list that he obtained, right?

A. Yes.

Q. And you discussed that list with Mr. Amar and with Ms. Zeitler as well; right?

A. Yes.

* * *

Q. Did Mr. Amar ever tell you to conceal the fact that he had obtained this list from anyone?

A. No.

Mr. Amar Didn't Decide the Number of
Records to Request From Any Vendor

Case 1:23-cr-00251-AKH Document 383-6 Filed 04/28/25 Page 38 of 66

No Conspiracy: Data Augmentation

Mr. Amar Originally Asked for 10MM Records from ASL

[illegible]

From: Denise Lyn [MCEAEX-
_O=EXCHANGELABS, OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=D85A29A6E37742A3AAAF2B7ACBC3898A-
DLYN@nampd15.prod.outlook.com]
Sent: Mon 8/2/2021 3:31:28 PM Coordinated Universal Time
To: Steve Stolls [sstolls@asdmktg.com]
Sent on behalf of: Denise Lyn <MCEAEX-
_O=EXCHANGELABS, OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=D85A29A6E37742A3AAAF2B7ACBC3898A-
DLYN@nampd15.prod.outlook.com>
Subject: Withfrank.org- College Market

He is looking for 10MM records and would like a call.

GOVERNMENT
EXHIBIT
2382
2025-02-25 14:00

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

CONFIDENTIAL

**GOVERNMENT
EXHIBIT
2302**
S1 23 Cr. 251 (AKH)

No Conspiracy: Data Augmentation

Mr. Amar Also Discussed 7MM, 5MM, and 3MM Records

WhatsApp



Olivier Amar, Aug. 3 2021 4:36 PM UTC (12:36 PM EDT)

They're sending us the 100k test and then we can move on the 3M



Olivier Amar, Aug. 3 2021 4:36 PM UTC (12:36 PM EDT)

We can move on 7M

but once we have the test I can ask for 5m

Only 3M will have emails

Charlie Javice , Aug. 3 2021 4:36 PM UTC (12:36 PM EDT)

They don't have more?

Need 4.5M



Charlie Javice , Aug. 3 2021 4:37 PM UTC (12:37 PM EDT)

that's fine. Addresses are good

or phone #



GOVERNMENT
EXHIBIT
801-9
S1 23 Cr. 251 (AKH)

The ASL List Did NOT Have 4.5MM Emails

No Conspiracy: Data Augmentation The ASL List Did Not Include Phone Numbers

CROSS EXAMINATION



Steve Stolls

Executive Vice
President of Sales and
Marketing



- Q. Now, in the course of your negotiations with Mr. Amar, you informed him that ASL does not typically sell phone records; right?
- A. Probably, yes.
- Q. Well, isn't it the case that ASL, years ago, stopped selling phone records?
- A. Yes, we did. Yes, sir.
- Q. And that was prior to 2021; right?
- A. I don't recall but – yeah. Probably. Yes.

March 5, 2025 Trial Tr. 1350:8-16

The ASL List Did NOT Have 4.5MM Emails and No Phone Numbers

Ms. Javice Told Mr. Amar that the Board
Approved the Purchase of the ASL List

No Conspiracy: Data Augmentation

Ms. Javice Told Mr. Amar the Board Said “Buy It and Move Quick”



Charlie Javice, Aug. 3 2021 12:46 PM UTC (8:46 AM EDT)

Where are we with ASL?

Michael signed off

WhatsApp

Olivier Amar , Aug. 3 2021 1:07 PM UTC (9:07 AM EDT)

Good morning. Same place as yesterday.. they're getting back to me today with numbers and a sample



* * *

Olivier Amar , Aug. 3 2021 4:21 PM UTC (12:21 PM EDT)

Hold on Exact Data



Charlie Javice, Aug. 3 2021 4:22 PM UTC (12:22 PM EDT)

On with Michael and [another] and they both said buy it and move quick

Olivier Amar , Aug. 3 2021 4:34:39 PM UTC (12:34 PM EDT)

I have the 3m at 5 cents



Charlie Javice, Aug. 3 2021 4:35 PM UTC (12:35:04 PM EDT)

Do it

GOVERNMENT
EXHIBIT
801-6
S1 23 Cr. 251 (AKH)

GOVERNMENT
EXHIBIT
801-9
S1 23 Cr. 251 (AKH)

No Conspiracy: Data Augmentation

Minutes After Telling Mr. Amar She Had Approval, Ms. Javice Said Buy 4.5MM Records

WhatsApp



Olivier Amar, Aug. 3 2021 4:36 PM UTC (12:36 PM EDT)

They're sending us the 100k test and then we can move on the 3M

Charlie Javice , Aug. 3 2021 4:36 PM UTC (12:36 PM EDT)

They don't have more?

Need 4.5M



GOVERNMENT
EXHIBIT
801-9
S1 23 Cr. 251 (AKH)

No Conspiracy: Data Augmentation

When Mr. Amar Confirmed 4.5MM Users, He Thought the Board Had Approved

WhatsApp



Olivier Amar, Aug. 5 2021 4:05 PM UTC (12:05 PM EDT)

You'll have 4.5m users today. Just closed it

2.3 cents per user. 105k price

Charlie Javice , Aug. 5 2021 4:06 PM UTC (12:06 PM EDT)



perdfect

love you



Olivier Amar, Aug. 5 2021 4:06 PM UTC (12:06 PM EDT)

: -)

GOVERNMENT
EXHIBIT
801-18
S1 23 Cr. 251 (AKH)

Case 1:23-cr-00251-AKH Document 383-6 Filed 04/28/25 Page 45 of 66

No Conspiracy: Data Augmentation

Mr. Amar Sent the ASL Invoice to Ms. Javice With Quantity

From: Olivier Amar [olivier@withfrank.org]
on behalf of Olivier Amar <olivier@withfrank.org> [olivier@withfrank.org]
Sent: 8/5/2021 5:32:56 PM
To: Charlie Javice [charlie@withfrank.org]
Subject: Fwd: College data
Attachments: DATA RENTAL AGREEMENT-WITHFRANK-8-5-21.xls

please sign

From: Charles Amato [mailto:charles@worldnet.att.net]
 To: Charles Amato [mailto:charles@worldnet.att.net]
 Date: 02/02/2001 10:22:40 AM
 Subject: Chicago Bayview [mailto:charles@worldnet.att.net]
 Attachments: DATA RENTAL AGREEMENT WITH RAMP-S-2-21.txt

please sign

Oliver Ayar
Frank | Chief Grounds Officer
50@frank.org | 906.505.5682
Student Creek Hospital

----- Forwarded message -----
From: Denise Lyn <dlyn@cashmarketing.com>
Date: Thu, Aug 5, 2021 at 12:47 PM
Subject: RE: College debt
To: Olivier Amur <olaviv@netflixbank.org>

Please review and sign the attached and return to me

Thank you

David S. Ioffe

Slave Manager

800 In Carry Used

No. 400

Farmington, NE 68725

(0112) 266-0043

Fax: (576) 977-3153

social and marketing units

FDA Confidential Treatment Requested by JPMorgan Chase
(CONFIDENTIAL)

[illegible]

Quantity

2,039,511

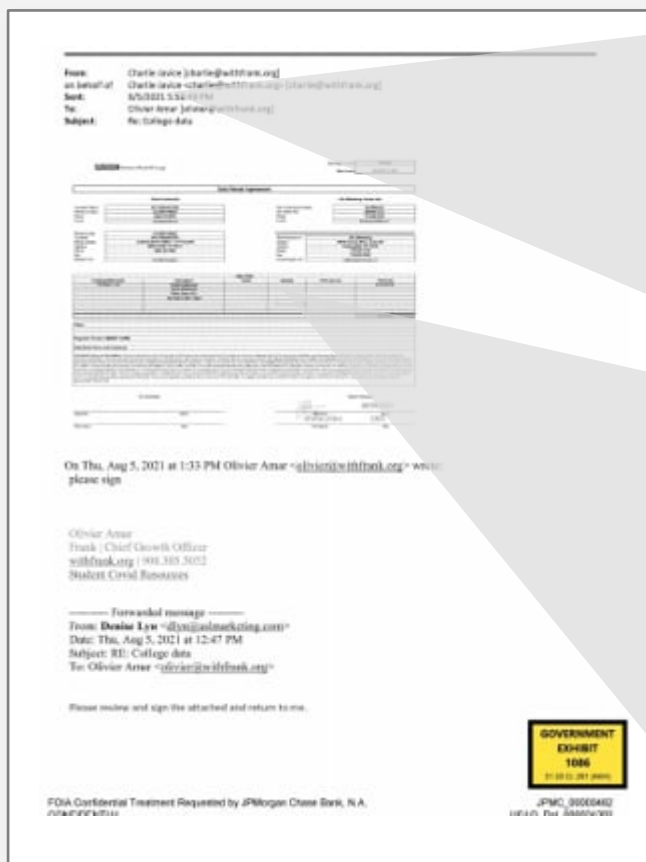
2,460,489

**GOVERNMENT
EXHIBIT
1085**
S1 23 Cr. 251 (AKH)

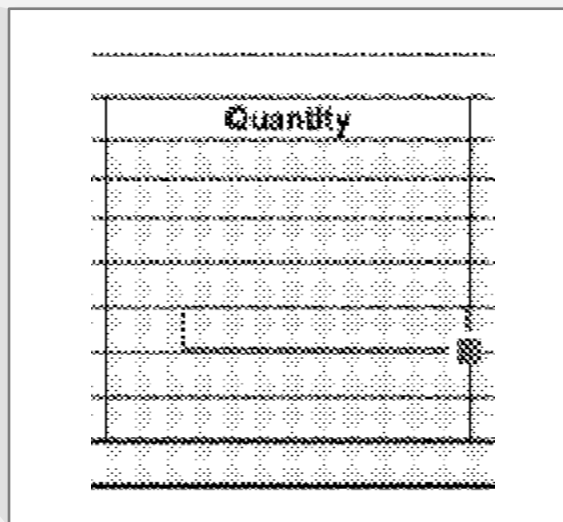
**GOVERNMENT
EXHIBIT
1085-A**
S1 23 Cr. 251 (A)(H)

No Conspiracy: Data Augmentation

Ms. Javice Sent It Back to Mr. Amar Signed and Without Quantity



From: Charlie Javice [charlie@withfrank.org]
on behalf of Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]
Sent: 8/5/2021 5:58:49 PM
To: Olivier Amar [olivier@withfrank.org]
Subject: Re: College data



No Conspiracy: Data Augmentation

When Mr. Amar Removed the Quantity from Exact Invoice, It Was to Vendor Shop



From: Tani Ochs [tani.ochs@exactdata.com]
on behalf of Tani Ochs <tani.ochs@exactdata.com> [tani.ochs@exactdata.com]
Sent: 8/3/2021 3:11:14 PM
To: Olivier Amar [olivier@withfrank.org]
Subject: Invoice E100480 from Exact Data
Attachments: Est_E100480_from_Exact_Data_1216.pdf

Hello Olivier,
Attached is the invoice requested, without the qty included. Thanks Tani

WhatsApp



Olivier Amar, Aug. 3 2021 4:21 PM UTC (12:21 PM EDT)

Hold on Exact Data

* * *



Olivier Amar, Aug. 3 2021 4:34 PM UTC (12:034 PM EDT)

I have the 3m at 5 cents



Olivier Amar, Aug. 3 2021 4:35 PM UTC (12:35 PM EDT)

So 150k

Charlie Javice, Aug. 3 2021 4:35 PM UTC (12:35 PM EDT)

Do it



GOVERNMENT
EXHIBIT
1580
S1 23 Cr. 251 (AKH)

GOVERNMENT
EXHIBIT
801-9
S1 23 Cr. 251 (AKH)

Mr. Amar Had Nothing To Do With
Synthetic Data

No Conspiracy: Synthetic Data

GX 2821
GX 2405
GX 1761
GX 1753
GX 1752
GX 1751
GX 1679
GX 1676
GX 1568
GX 1567
GX 1566
GX 1565
GX 1141
GX 1083
GX 1077

Javice/Kapelner
Emails

Amar/Kapelner
Emails

No Conspiracy: Synthetic Data

Mr. Amar Didn't Meet Dr. Kapelner Until "Project 3"—October 2021

DIRECT EXAMINATION



Adam Kapelner
Associate Professor of
Mathematics



Q. I want to draw your attention, Dr. Kapelner, to Ms. Javice's email from 1:29 p.m. on October 23, 2021.

MS. KOSTOPOULOS: If we could just blow that up.

Q. And Ms. Javice writes, "Hey, Adam, meet Olivier! He's my right hand and absolutely awesome." Is this when you first met Mr. Amar, or were first connected to him?

A. Yes, it's when I was first connected to him.

Q. And it was Ms. Javice introducing you to him in connection with the work you would be doing for Project 3?

A. I believe so.

No Conspiracy: Synthetic Data

Frank's User Data Was Messy and Needed a Data Scientist

DIRECT EXAMINATION



**Keona
Drakeford**
Executive Director

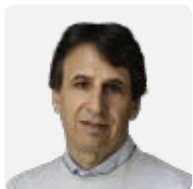


Q. Is it fair to say that data can be messy at times?

A. Yes.

March 18, 2025 Tr. 2688:10-11

REDIRECT EXAMINATION



Marc Rowan
Member, Board of
Directors

FRANK.

Q. Why did you refer Ms. Javice to a PhD at Wharton, in data science?

A. The company seemed overwhelmed by the volume of requests from JPMorgan and also the need to parse private and public data, and this is not atypical from a large, sophisticated institution like a bank asking for diligence information from a startup company. But it was clear to me the company needed outside resources.

March 20, 2025 Tr. 3042:18-25

No Conspiracy: Synthetic Data

Mr. Amar Believes Finished Data at 2 AM Refers to Cleaning Up the Data



Charlie Javice, Aug. 5 2021 12:20 PM UTC (8:20 AM EDT)

Finished data at 2am



Charlie Javice, Aug. 5 2021 12:21 PM UTC (8:21 AM EDT)

Will stare at it with a fresh pair of eyes in 10 and it's done and ready to go



Charlie Javice, Aug. 5 2021 12:21 PM UTC (8:21 AM EDT)

He did a fantastic job. Truly. We powered through together

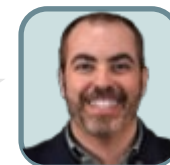
Fun getting to work with ur old stat professor :)

WhatsApp

Olivier Amar, Aug. 3 2021 12:21 PM UTC (8:21 AM EDT)

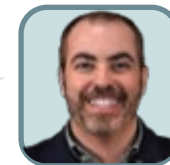
How's it go?

How'd



Olivier Amar, Aug. 3 2021 12:21 PM UTC (8:21 AM EDT)

Okay



No Conspiracy: Synthetic Data

Mr. Amar Wasn't Involved in "Project 2"—Augmenting the ASL List

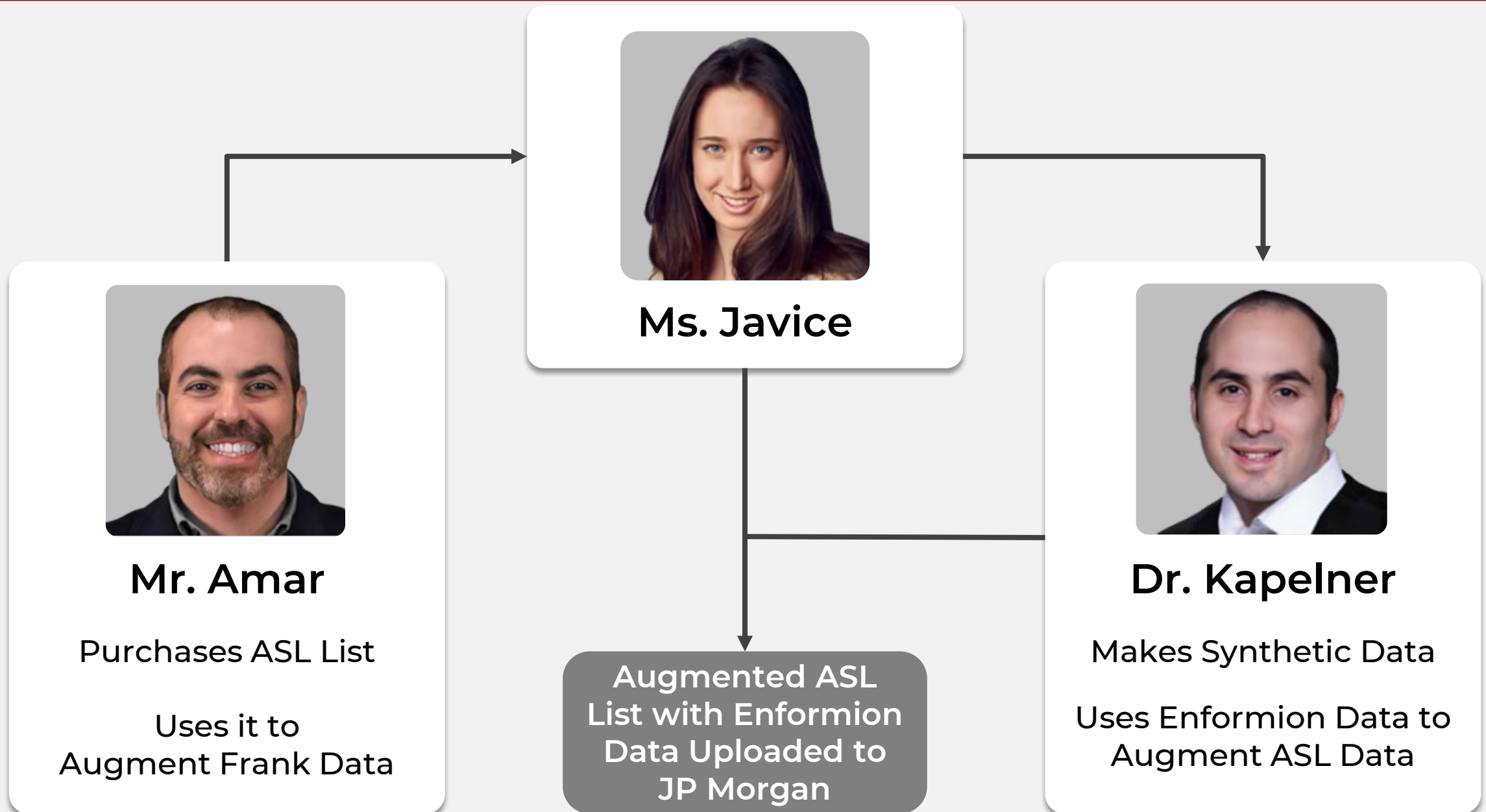
DIRECT EXAMINATION



Adam Kapelner
Associate Professor of
Mathematics



- Q. How soon after that did you start working on your next consulting project for Frank?
- A. We began the day after.
- Q. And what was the second project that you worked on?
- A. Yeah, I called that the augmentation or data appending or filling missing value project.



**No Conspiracy:
Patrick Vovor Is an Unreliable Witness**

No Conspiracy: August 1-2

Mr. Vovor Said There Were Two Calls

CROSS EXAMINATION



Patrick Vovor
Director of
Engineering

F R A N K .

PATRICK VOVOR CROSS

COURT: Was Mr. Amar also on the phone?

WITNESS: No. On August 1st, no.

* * *

Q. But he wasn't on the call, correct?

A. He was not on the call on August 1st.

PATRICK VOVOR CROSS

Q. Is it your testimony, sir, that there were no other calls with you and Ms. Javice between the first call you had on August 1st and the Google Hangout call you had with Ms. Javice and Mr. Amar on August 2nd? Is that your testimony?

A. To the best of my recollection, yes.

Mr. Vovor's Story



August 1

12:30 PM call



August 2

12:15 PM Google Hangout

No Conspiracy: August 1-2**Mr. Vovor Claimed He Viewed visitors-geo for First Time on Aug. 2****CROSS
EXAMINATION**

Patrick Vovor
Director of
Engineering

FRANK.

Q. Can we now pull up GXG 116 in evidence? Was your testimony on Thursday that the first time you saw this document was also on August 2?

A. Yes.

VISITORS-GEO									
	A	B	C	D	E	F	G	H	I
1	#								
2	# Frank - All Web Site Data								
3	# Location								
4	# 20170401-20210716								
5	#								
6									
7	Device Category	Users	New Users	Sessions	Bounce Rate	Pages / Session	Avg. Session	Goal Conversion	Goal Completions
8	mobile	2,821,173	2,595,818	3,151,882	85.81%	2.15	0:01:37	12.32%	388,275
9	desktop	1,609,569	1,602,404	2,168,795	57.57%	2.42	0:01:53	18.81%	413,889
10	tablet	176,438	175,081	206,088	63.24%	2.13	0:01:20	13.74%	28,728
11		4,705,180	4,364,404	5,556,765	62.23%	2.28	0:01:43	14.94%	830,872
12									
13									
14									
15	City	Users	New Users	Sessions	Bounce Rate	Pages / Session	Avg. Session	Goal Conversion	Goal Completions
16	New York	212,729	210,439	266,309	63.23%	2.28	0:01:53	10.13%	26,394
17	(not set)	127,334	123,015	146,208	60.82%	2.48	0:01:45	14.28%	20,722
18	Chicago	120,834	117,370	135,091	70.89%	1.88	0:01:28	11.32%	15,330
19	Los Angeles	106,817	103,886	124,633	66.33%	1.88	0:01:29	9.89%	12,329
20	Dallas	103,816	100,828	124,882	66.46%	2.52	0:02:00	19.28%	24,356
21	Houston	100,331	90,361	118,020	65.12%	2.38	0:01:51	17.58%	21,300
22	Atlanta	80,128	78,487	97,813	68.42%	2.43	0:01:59	18.81%	18,532
23	Washington	68,582	47,374	57,888	68.13%	1.88	0:01:35	13.20%	7,729
24	Philadelphia	45,952	45,746	53,352	64.49%	2.18	0:01:56	15.87%	8,381
25	San Antonio	40,847	40,165	47,783	64.61%	2.31	0:01:41	18.21%	7,748

Mr. Vovor's Story



August 1

12:30 PM call



August 2

12:15 PM Google Hangout

Vovor claims he saw "visitors-geo" for the first time when Amar screenshares Aug 2

No Conspiracy: August 1-2**Mr. Vovor Claimed He Viewed data_request For the First Time on Aug. 2****DIRECT
EXAMINATION****Patrick Vovor**Director of
Engineering**FRANK.**

Q. Mr. Vovor, do you recognize the document that is on the left side of the screen?

A. Yes.

Q. What is it?

A. A list of all the FAFSA data fields that we collect from our students.

* * *

Q. [...] The document on the left [GX G-506] was one of the documents shared during the August 2 meeting?

A. Yes.

FAFSA in progress 4,265,000	
FAFSA Completion 2,100,184	
Section	Variable
Popup	STUDENT_FIRST_NAME
	STUDENT_LAST_NAME
	STUDENT_EMAIL
	STUDENT_PHONE_NUM
Personal	STUDENT_HOME_ADDR
	STUDENT_HOME_ADDR_APT
	STUDENT_BIRTHDAY
	APPLICATION_YEAR
Account Flow	STUDENT_MAJR_INTRST
My Degree	YEAR_OF_SCHOOL
	DEGREE_LEVEL
	WILL_HAVE_BACHELORS_CY
Schools (self initiated)	SCHOOL_S_TO_SEND_FAFSA

Mr. Vovor's Story



August 1

12:30 PM call



August 2

12:15 PM Google Hangout

Vovor claims he saw "visitors-geo" for the first time when Amar screenshares Aug 2

Vovor claims he saw "data_request" for the first time when Javice screenshares Aug 2

No Conspiracy: August 1-2

Mr. Vovor Said Mr. Amar and Ms. Javice Asked Him to Pull Data After Aug. 2 Call

CROSS EXAMINATION



Patrick Vovor
Director of
Engineering

FRANK.

- Q. Now you testified that **after** your call with Ms. Javice and Mr. Amar on August 2nd, they asked you to pull Frank's FAFSA data; is that right?
- A. Yes.
- Q. And your claim is that that happened **after** the call and not before?
- A. No. It started during the call, and it continued **after** the call.
- Q. In fact, it happened **before** the call, did it not, sir?
- A. **No. During the call.**

Mr. Vovor's Story



August 1

12:30 PM call



August 2

12:15 PM Google Hangout

Vovor claims he saw "visitors-geo" for the first time when Amar screenshares Aug 2

Vovor claims he saw "data_request" for the first time when Javice screenshares Aug 2

Javice and Amar request data from Vovor after 12:15 PM meeting

No Conspiracy: August 1-2

Ms. Javice Shared Synthetic Data Article with Mr. Vovor on Aug. 2



From: Charlie Javice [charlie@withfrank.org]
on behalf of Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]
Sent: 8/2/2021 11:38:27 AM
To: Patrick Vovor [patrick@withfrank.org]
Subject: Data set

<https://www.maskaravivek.com/post/gan-synthetic-data-generation/>

Charlie Javice
 914.575.9314

Q. She sent you an article the subject of which was synthetic data; right?

A. Yes.

Q. [...] Now, this e-mail is sent only to you; correct?

A. Yes.

Q. And its time is 11:38 a.m.; right?

A. Yes.

Q. So that is before the Google Hangout call you had with Mr. Amar and Ms. Javice; correct?

A. Correct.

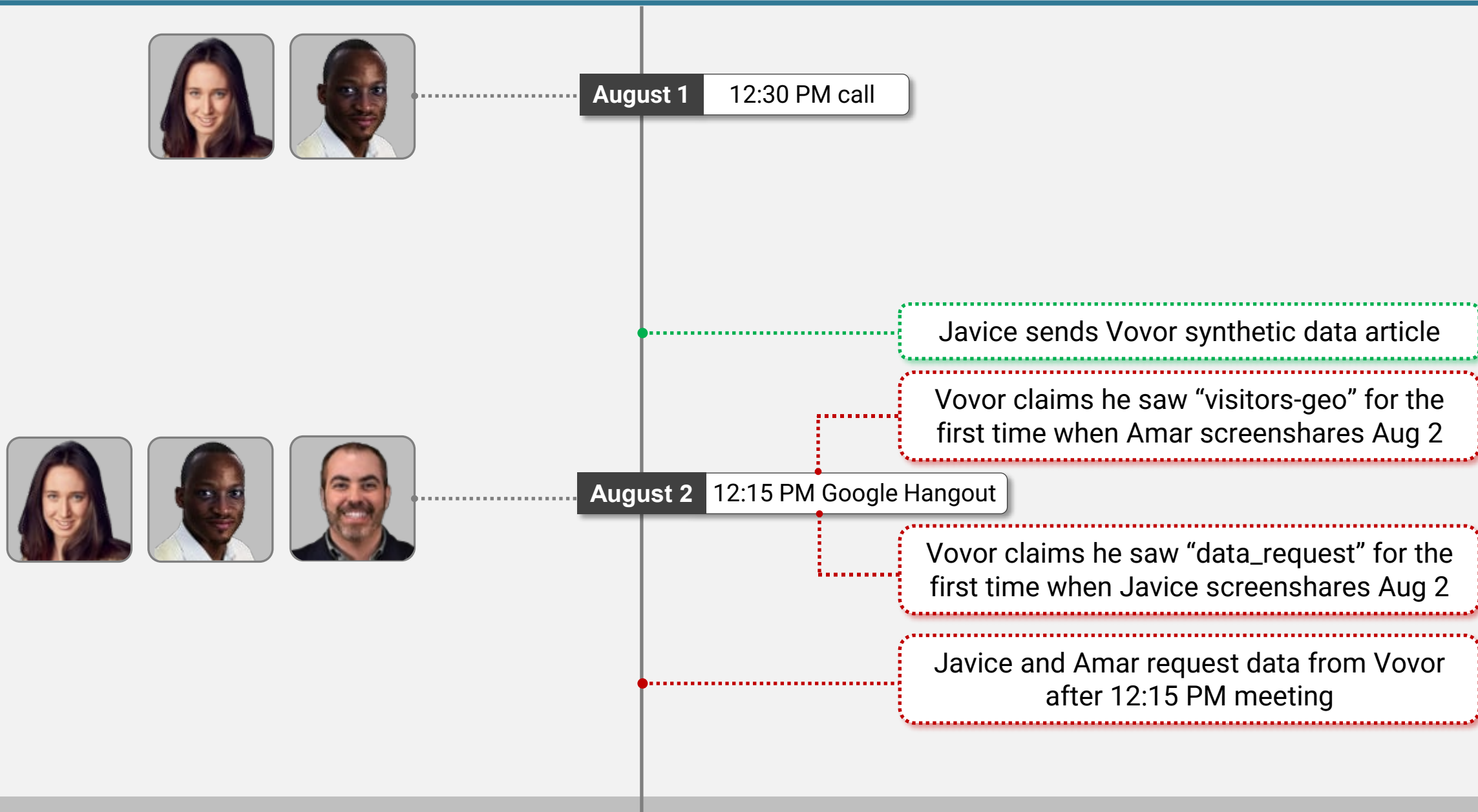
Q. Did you click on this before you had that call?

* * *

A. I believe before.



Mr. Vovor's Story



The Truth



August 1

12:30 PM Google Hangout



August 2

12:15 PM Google Hangout